IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 649 of 2002 (M/B)

Padam Sen Gupta
S/o Sri Tara Chand
R/o Sarwat Gate North
Ghass Mandi,
Muzaffarnagar .....Petitioner

Versus

1. State Of Uttaranchal, through,
   Secretary, Lok Nirman Vibhag,
   Dehradun.
2. Chief Engineer Level- I
   Lok Nirman Vibhag,
   Yamuna Colony, Dehradun.
3. Superintending Engineer,
   53rd Circle, Lok Nirman Vibhag,
   Haldwani.
4. Executive Engineer,
   Provincial Division,
   Lok Nirman Vibhag, Rudrapur
5. District Magistrate,
   Udham Singh Nagar. ..... Respondents.

Mr. A.K. Sharma, Advocate for the petitioners.
Mr. J.P. Joshi, Chief Standing Counsel for the respondents.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. M.M. Ghildiyal, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. A.K.Sharma, Advocate for the petitioner.

Mr. J.P. Joshi, Chief Standing Counsel for the respondents.

2. The petitioner has filed this writ petition for the following reliefs:

3.

"i. To issue a writ order or direction in the nature of mandamus commanding the respondents to issue a fresh cheque of the amount of Rs. 16,73,390/- with 24% interest p.a. to the petitioner in place of earlier cheque no. 004731/023 dated 29.03.2000 issued to the petitioner, within the time specified by this Hon'ble Court.

ii. To issue any other such order or direction which may deem fit and proper under the circumstances of the case.

iii. Award costs to the petition."

3. The petitioner's entire claim is based on the alleged breach of contractual obligation on the part of the respondents. If the petitioner has any surviving grievance, he may avail the remedies before the Civil Court.

4. With the above observation, the writ petition stands disposed of.

(M.M.Ghildiyal, J.) **(Rajeev Gupta, C.J.)**
06.03.2006 **06.03.2006**

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